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Seventeenth session

SUMMARY RECORD OF THE 358th MEETING

Held at Headquarters, New York,
on Wednesday, 23 July 1997, at 3 p.m.

Chairperson: Ms. ABAKA
(Vice-Chairperson)

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In the absence of Ms. Khan, Ms. Abaka (Vice-Chairperson) took the Chair.

The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined third and fourth periodic reports of Bangladesh (CEDAW/C/BGD/3-4) (continued)

1. At the invitation of the Chairperson, Mr. Ahmed, Ms. Chowdhury and Mr. Pasha (Bangladesh) took places at the Committee table.

2. Ms. BERNARD said that she heartily welcomed the withdrawal by Bangladesh of its reservations to articles 13 and 16, paragraph 1 (f), of the Convention and hoped that in due course it would be able to withdraw its remaining reservations.

3. She commended the Government of Bangladesh for the strides it had made in improving the status of women and welcomed the translation of the Convention and the Beijing Platform for Action into Bangla. She was pleased that machinery had been established to facilitate women's access to the police.

4. With regard to article 6, she would appreciate statistics on the number of prostitutes and wished to know whether prostitution was viewed mainly as an economic problem rather than as a social problem, whether all prostitutes were destitute and whether it was planned to conduct a survey to ascertain the depth of the problem with a view to taking remedial action.

5. As to article 7, she asked whether the women occupying the posts of Prime Minister and leader of the opposition had been active in politics before their election and whether they had held ministerial posts prior to entering politics. She also wished to know whether the number of women magistrates and judges had increased since 1994 and whether there were any women on the Supreme Court bench.

6. Turning to article 15, she said she believed that the information provided concerning the Government's Legal Aid Fund suggested that its value was limited. She wished to know whether there were similar funds operated by private organizations for the benefit of women and, if so, whether women were aware of their existence. The fact that births and marriages were not required to be registered could create serious problems, and she wished to know whether the population was being sensitized to the importance of such registration.

7. Ms. ACAR commended the Government of Bangladesh for its significant efforts to empower women and combat discrimination against them.

8. She welcomed the fact that the principle of equality in public life was enshrined in the Constitution; however, such equality must prevail in the private sphere as well.

9. Although Bangladesh had begun to revise personal laws in order to improve the status of women in the public and private spheres, those laws were based on religion and often reinforced inequality and stereotypical roles. The vigour with which a government enforced existing laws promoting equality and prosecuted actions which ran counter to its international commitments or its own progressive laws was of the utmost importance, particularly in Muslim countries, where a lack of adequate resources and the potential threat by fundamentalists or other groups to invoke religion as a guise for perpetuating patriarchal traditions and preventing gender equality were ever-present. She fully appreciated the tremendous social and cultural obstacles that had to be overcome in that regard. She congratulated the State party for having withdrawn two of its reservations to the Convention and hoped that its example would be followed by other Muslim countries which had entered similar reservations.

10. She had been disturbed to learn that no steps had been taken to enable the Supreme Court to determine whether any provisions of the personal laws conflicted with the equality provisions of the Constitution. That was of particular concern since the report acknowledged the non-egalitarian nature of those laws in principle. She wished to know what entity could bring such matters before the Supreme Court and whether the Government planned to challenge the inequality of personal laws before the Court.

11. With respect to article 8, she wished to know whether there were any women on the Law Reform Commission. She also inquired whether any government policies existed to sensitize legal professionals and the judiciary regarding gender equality issues.

12. Ms. CARTWRIGHT welcomed the improvements in the status of women in Bangladesh since consideration by the Committee of the State party's preceding report. She also welcomed the withdrawal by Bangladesh of its reservations to articles 13 and 16, paragraph 1 (f), and said she hoped that other countries which had registered similar reservations would do likewise. She urged the Government of Bangladesh to give very early consideration to withdrawing its reservation to article 2 of the Convention, which was incompatible with the object and purpose of the Convention.

13. With regard to article 16, she noted that under the Constitution of Bangladesh women were promised equality with men. Although she fully acknowledged the difficulties involved in changing social attitudes, it was important to revise the personal laws to enable women to enjoy the same rights as men. She urged the Government to continue its admirable efforts, consider withdrawing its remaining reservation to article 16 and give full compliance to the Committee's general recommendation No. 21, which stipulated that women should have the same rights to inherit as men and should not be subjected to polygamous marriages.

14. Ms. CORTI welcomed the withdrawal by Bangladesh of its reservations to articles 13 and 16, paragraph 1 (f), and hoped that it would withdraw its remaining reservations - particularly to article 2 - as soon as possible.

15. The primary obstacles to equality for women in Bangladesh were poverty, tradition and religion, and she noted that the deeply rooted preference for sons was a particularly serious one.

16. She wished to know what the Government planned to do to increase its expenditure on health care and improve its health care policy. Enhanced reproductive and general health care services were particularly crucial for women in rural areas.

17. Turning to article 7, she expressed the hope that the fact that women occupied the posts of Prime Minister and leader of the opposition did not represent mere tokenism regarding women's participation in public life. She wished to know whether Bangladeshi women belonging to non-governmental organizations were interested in such participation.

18. The progress already made towards improving the status of women in Bangladesh augured well for further progress in that area.

19. Ms. JAVATE DE DIOS welcomed the removal of the reservations to articles 13 and 16, paragraph 1 (f) and expressed the hope that the remaining reservations would be lifted in due course and that other countries would follow Bangladesh's lead. She paid a tribute to non-governmental organizations in Bangladesh for their tireless efforts to improve the status of women in that country.

20. She was pleased to note that the gender perspective had been incorporated in the Fifth Five-Year Plan, that a national policy on women's advancement had been established, and that the Convention had been disseminated in the local language. She also appreciated the frankness with which the Government had acknowledged the difficulties it faced as it strove to enhance the status of women.

21. With regard to article 4, she wished to know whether an assessment of affirmative action measures was envisaged and, in particular, whether the system of reserved seats for women in Parliament would be expanded and extended beyond 1999. She also asked what measures the Government was taking to recruit women actively for reserved seats in the public sector.

22. As to article 5, she wished to know whether it was planned to analyse the factors underlying the very disturbing increase in violence against women and what was being done to stop particularly violent incidents, such as acid-throwing. The Government had presented minimal data concerning trafficking in women compared with the magnitude of the problem recorded by non-governmental organizations. She wished to know whether the high number of suicides among women reported were actually suicides or whether they were in reality homicides. She looked forward to learning what specific steps the Government was undertaking to honour its commitment to combat trafficking in women.

23. Turning to article 11, she said that she would appreciate further details about the Government's policy regarding women migrant workers. She wondered whether a Government mechanism existed to monitor their recruitment and their situation once they had settled abroad. Future reports should include data on such workers, including information on crisis interventions programmes for their protection. Lastly, she inquired whether the Government was pursuing any bilateral or multilateral measures to protect them.

24. Ms. OUEDRAOGO said she was concerned that there might be duplication of effort and a lack of coordination between the various committees and institutional networks involved in the different aspects of discrimination against women in Bangladesh. A single ministry, the Ministry for Women and Children's Affairs, should coordinate all related actions. She congratulated the Government on the regular follow-up to and evaluation of actions under the Convention.

25. Referring to stereotyping, under article 5, she noted the measures which had been taken and said that they should be stepped up.

26. She was surprised that dowry payments were described as a recent phenomenon and also as increasingly widespread. It would be interesting to have further information about the practice, which was generally believed to be a deep-rooted traditional custom. The problem should be studied, and measures should be taken to combat it.

27. With regard to article 14, she said that the issue of rural women should be given priority. She would appreciate information on whether rural women had the right to own land; with the growing urbanization of society, it was the men who usually migrated to the towns or who went abroad to find work, leaving women in charge of the land. In Bangladesh, advocacy campaigns should target rural areas and rural women should be encouraged to participate much more fully in development activities. Furthermore, childcare facilities should be improved in rural areas.

28. The next report should provide comparative statistics, so as to enable the Committee to assess the results of the action taken and see how the situation was evolving.

29. Ms. FERRER, expressing appreciation for the Government's frank report, noted that it had been prepared on the basis of extensive consultations with non-governmental organizations.

30. The legal and social status of women in Bangladesh was very inferior to that of men, and the extreme poverty of the country impeded the advancement of women. Action should be taken to eliminate poverty, especially for women, as a matter of urgency.

31. The amount of violence against women was alarming; much more action must be taken to combat it. Despite some gains made under the Fourth Five-Year Plan, there were still grounds for great concern.

32. Programmes were needed to counteract stereotypes and widespread traditional and cultural patterns. Furthermore, there should be a permanent education campaign targeting all sectors of the population, but especially public authorities, the police and members of the legal profession. Furthermore, steps must be taken to ensure compliance with existing legislation.

33. Future reports should contain comparative statistics, to show how the situation was evolving.

34. As to article 11, it would be useful to learn what action the Government proposed to take to improve women's education and employment opportunities; currently, women's low level of education meant that they were at a considerable disadvantage in the job market. She asked whether there were measures to protect women working in the informal sector, and whether resources could be made available for day-care facilities for women working in that sector. She also wished to know whether there were training programmes for women who worked in the civil service, to enable them to move into well-paid jobs.

35. She would also appreciate information on women heads of households, since they represented from 8 to 30 per cent of households, according to the report. Such women required priority attention, in view of the importance of their family role.

36. The report mentioned that the International Labour Organization and the United Nations Children's Fund were working with the Government in an endeavour to deal with the problem of child labour. According to the reports of the non-governmental organizations, there had been an increase in trafficking in women and children in order to exploit them in the workplace; that was a problem which needed urgent attention.

37. Ms. GONZALEZ said that it was important to note that there was no plan to reform personal laws, despite the fact that in some cases they were totally contrary to the Convention.

38. Referring to article 14, she noted that the Grameen Bank was the only bank providing microcredit which granted credit to rural women without their husband's previous authorization; she urged other banks to follow suit. Additional information on the Government's plans to provide rural women with specific education, health care and training for production activities would be useful.

39. It was unclear how a decrease in the birth rate could have been reported; according to the report, births were not registered.

40. With reference to article 7, she asked whether the 30 seats reserved for women in Parliament had the same importance and carried the same rights as the other 300 directly elected seats. She hoped that by 1999 women would be able to participate in public life on a more equal footing with men.

41. In relation to article 5, she said she was extremely concerned about the steady increase in violence against women and suicides by women. Fatwas and punishments ordered against rural women on religious grounds by unauthorized

community courts should be included in the category of violence against women. The Government must continue to combat all forms of violence; United Nations agencies and other international organizations could provide considerable assistance in that connection.

42. Ms. CASTILLO said that the Government should devote special attention to rural women. The incidence of violence against women was extremely alarming; she wondered whether the high number of suicides was the result of violence. She was also very concerned about stereotyping, traditional religious practices which discriminated against women, poverty and the increase in trafficking in women and children. Legislation was in place to combat those problems, but it needed to be enforced.

43. The Government could come to the aid of rural women by fostering conditions which allowed them to improve their economic situation. It would be useful to know how globalization of the economy had affected rural women, and whether they were able to market their products.

44. Ms. BARE said she wished to know what measures were being considered to reduce gender gaps in education, particularly with regard to girls in rural areas. She asked whether the Government of Bangladesh was contemplating any measures to provide vocational training and counselling to female students. Women working in export-oriented industries were exposed to hazardous working conditions and suffered from poor health. With the modernization of those industries, many of those women were losing their jobs, and she inquired whether any measures were being considered to enhance their technical skills in order to enable them to keep their jobs, and whether women in export-oriented industries had considered forming unions in order to protect their rights and bargain for better conditions.

45. She had noted that, in families where women benefited from microcredit, male spouses all too often tended to shirk their responsibility to look after family needs and share in childrearing. In that connection, she wished to know how the Grameen Bank loans had promoted the transformation of gender roles both in the family and in the community.

46. The implementation of the National Policy on Women's Advancement would have a far-reaching impact on the attainment of gender equality in Bangladesh. However, the Fifth Five-Year Plan (1997-2002), which outlined a comprehensive set of measures to implement the National Policy, seemed to place too much emphasis on women in development and not enough on gender-mainstreaming. Equality of men and women in Bangladesh could be achieved only within the framework of a vision of gender and development that addressed the practical needs of women.

47. Ms. AOUIJ said that it was necessary to separate Islamic teachings from social taboos that had been strengthened by the traditions of a patriarchal society and centuries of decadence and obscurantism. At the time of its revelation, Islam had helped liberate women and restore their dignity. Islam had not invented polygamy but had merely sought to regulate a phenomenon that had long existed in many cultures. Tunisia, which interpreted Koranic law in

accordance with its spirit rather than dogmatically, had abolished polygamy in 1956.

48. Koranic law left room for common sense and could help promote equality of men and women, particularly in the area of personal status and family law. On the eve of the twenty-first century, developing countries like Bangladesh would need to mobilize all their human resources, especially women, in order to overcome poverty, ignorance and disease. Muslim countries must respond to the challenges of the modern world by adopting new laws based on the true spirit of the Koran, since that would enable them to participate in the historic movement towards progress and democracy. She therefore considered that Bangladesh should make greater efforts to bring its laws and culture into line with the provisions of the Convention.

49. She commended Bangladesh's partnership with non-governmental organizations, which were in a position to assist it in implementing its integrated programmes and policies for the advancement of women.

50. Mr. AHMED (Bangladesh) said that there were no women on the Law Commission because that body had been established only very recently; the Government would consider appointing a suitable women to that Commission. While there was no legal restriction prohibiting the appointment of women judges to the Supreme Court, suitable female candidates had not yet been found.

51. The Government of Bangladesh acknowledged that article 2 of the Convention was of fundamental importance and it had not refused to withdraw its reservation. It would review the various paragraphs of the article in order to determine whether there were any conflicts with Islamic law. The Government also intended to examine article 16, paragraph 1 (c) very closely with a view to removing its reservation.

52. There had been no litigation challenging the provisions of Islamic law concerning inheritance because the Muslim population of Bangladesh was deeply committed to the Koran and found it difficult to challenge one of its provisions by invoking article 27 of the Constitution. With the exception of the Islamic law of inheritance, women enjoyed the same rights as men with respect to property.

53. Polygamy had become extremely rare in Bangladesh and had declined not only among the educated urban population but also in rural areas. Although the Koran permitted polygamous marriages, it did not encourage them.

54. While the Government's legal aid programme was not very effective, there were very effective private legal aid societies in Bangladesh that provided assistance to women. Moreover, the legal aid movement in Bangladesh was growing.

55. Although television was not often used to inform the population about human rights, particularly women's human rights, people went out to the villages to explain those rights to the local population.

56. Mr. PASHA (Bangladesh) said that education was provided tuition-free for girls and boys at the elementary level, with food supplements for poor children. Several projects provided conditional tuition assistance and stipends for girls at the secondary level, at which girls currently constituted 48 per cent of the overall student population.

57. The Government was aware of the problem of prostitution and had instituted a number of programmes to rehabilitate prostitutes.

58. While births were not uniformly registered, the Government supported its claims that the birth rate had been reduced to 1.8 per cent or less with decennial census figures and population sampling surveys.

59. With regard to women's participation in political life, he said that the current Parliament had 30 women members; they regularly raised women's issues, and those issues were more widely covered in the news media as a result.

60. Not all Bangladeshis emigrating legally to work were male, and the Government was aware of instances of harassment and kidnapping of female overseas labourers. Legal migrants were routinely informed of such risks, but the Government was powerless to warn those who chose to emigrate clandestinely.

61. The Government had also instituted a multisectoral programme to combat violence against women, which included gender sensitization of the lawyers, police and other officials who dealt with the problem.

62. Ms. CHOWDHURY (Bangladesh) said that positively transforming women's roles without adding to their burdens could best be accomplished by increasing their incomes and economic empowerment.

63. Rural women in Bangladesh had been affected by the pressure of global trade liberalization on traditional informal trades, but that pressure had been mitigated to some extent by rural employment programmes and Government emphasis on local-level marketing of rural products.

64. The Government had set up six day-care centres to support women seeking employment, and was planning to set up others in urban areas with the assistance of non-governmental organizations.

65. The Government was also formulating a comprehensive strategy to address the problem of trafficking in women and children.

66. The question of retaining or increasing the number of seats reserved in Parliament for women was under discussion. Currently, both directly and indirectly elected members had the same voting rights. The current Prime Minister and the current leader of the opposition were both women, but could in no way be described as tokens or figureheads, as they had worked their way up to positions of genuine power within their political organizations.

67. The Government also reccgnized the inadequacy of its data gathering with regard to violence against women, and was currently investigating methods of improving its ability to combat the problem.

68. The CHAIRPERSON thanked the delegation of Bangladesh for its frank and detailed report, and noted that with many women being pushed into the informal labour sector by privatization pressures, the Government had an obligation to provide a social safety net for them through social security and labour and insurance legislation.

The meeting rose at 5.40 p.m.